

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/603,094  
Applicant : Don J. DIAMOND  
Filed : June 25, 2003  
Art Unit : 1648  
Examiner : Louise Wang Zhiying HUMPHREY  
Docket No. : 1954-410  
Customer No. : 06449  
Confirmation No. : 7356

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

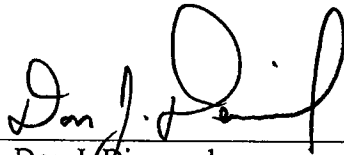
**DECLARATION UNDER 37 C.F.R. § 1.132**

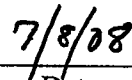
Dear Sir:

I, Don J. Diamond, declare:

1. I am the same Don J. Diamond listed as an inventor on the above-referenced patent application.
2. I am the inventor of the subject matter described and claimed in United States Patent Application Serial No. 10/603,094, filed on June 25, 2003, entitled "Adjuvant-free peptide vaccine."
3. The named authors of BenMohamed et al., *J. Immunol.*, 106:113-121, 2002 (hereinafter "BenMohamed") include Don J. Diamond.
4. Subject matter relating to unlipidated cytomegalovirus vaccines which comprise a fusion peptide of a T helper epitope fused to a CMV CTL, which are disclosed in BenMohamed, were derived from the named inventor of the present application Serial No. 10/603,094.
5. All statements made herein of my own knowledge are true and all statements made on information and belief, are believed to be true. These statements were made with the

knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By:   
Don J. Diamond

  
Date